

SENTENCING SIMULATION PROJECT (SSMP)
CORRECTIONS POPULATION MANAGEMENT COMMISSION

SENTENCING POLICY ANALYSIS

Simulation: Application of New Jersey 3-Strikes Laws to Hawaii

Existing Law: Hawaii currently does not have a 3-Strikes Law, though it does have sentencing laws regarding repeat offenders and enhanced terms.

Simulated Sentencing Changes: Application of New Jersey's 3-Strikes law with the following conditions: (1) priors are calculated using Hawaii's current law, and (2) 'strikeable' offenses are murder I and II, manslaughter, serious sex offenses (assault I and II, continuous sex assault of a minor, etc.), robbery I, and kidnapping. For this simulation, based on New Jersey law, sentences for 3 strikes receive a sentence of mandatory life in prison without parole (until the offender is 70 years of age and at least 35 years of the sentence has been served).

Findings & Conclusions: Near-term projections from this simulation show no impact (i.e., within the next 7-8 years). The offenses that are covered by this law typically receive long prison terms in the first place; projection differences would not be seen until 2013, impacting about 1.3% of the projected admissions in each upcoming year. The ensuing increases in the prison population would be accounted for in any additional time that these offenders are kept up-and-beyond the term they would have initially served before being released. As mentioned before, this would begin in 2013 and the increases would continue until these offenders either reached the age/time-served cutoff or died.

Prison Impact: With this law applied and assuming that projections remained true that far out into the future, the prison population is projected to increase by roughly 0.2% annually beginning in the year 2013. Population increases of this magnitude would continue in an additive fashion until these impacted offender population either hit the age cut-off and served the required amount of time, or died.

Parole Impact: Given that the above prison impact occurred, the parole population would decrease by the offsetting percentage, decreasing roughly 0.2% beginning in the 2013.

Probation Impact: The felony probation population would experience little to no impact if this law was applied.

The Sentencing Simulation Project produces an Annual Report that details projected baseline data.

This simulation is compared to those projected data.

This report is viewable and downloadable on the internet at: <http://www.hawaii.gov/psd/cpmc/>